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DEPARTMENT FOR WHA/CEN, WHA/PPC AND P/M
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SUBJECT: COSTA RICA: SHIP VISITS IN A TIME OF INFLUENZA

REF: A. San Jose-SOUTHCOM JAG email of 6/2/2009 (NOTAL)

[1](#)B. San Jose-WHA/CEN email of 5/22/2009 (NOTAL)

[1](#)C. 2009 San Jose 947 (NOTAL)

[1](#)1. (SBU) SUMMARY: USN and USCG ship visits to Costa Rica should now be able to resume, thanks to an agreement reached June 2 with the GOCR on the use of a health questionnaire introduced to track possible H1N1 cases. Starting in mid-May, the Health Ministry had insisted that disembarking crew members complete and sign the questionnaire, which is required of all visitors to Costa Rica. Because providing such personal information to a foreign government violates USN policy, Navy ship visits were suspended.

Atlantic-based (District 7) USCG vessels followed suit. The curtailed visit of the USS Kauffman (FFG 59) to Limon highlighted the problem, generating negative publicity and political pressure which may have persuaded the Health Minister to accept a compromise.

As of June 2, disembarking USN and USCG crew members must still complete the H1N1 questionnaire, but they may use a number from a ship's roster to identify themselves; no names or signatures will be required. The GOCR will not see the roster, which would be retained by the CO. As long as the Health Ministry can contact the ship or relevant USN and USCG authorities later, should there be H1N1 cases possibly related to a ship visit, then that will be sufficient for the GOCR. The test case will be the next port call, but we are hopeful that USN and USCG ship visits, important and tangible examples of U.S.-Costa Rica civilian-military cooperation, will continue unimpeded. END SUMMARY

BACKGROUND

[1](#)2. (SBU) U.S. ship visits to Costa Rica have long been complicated by two factors. The first is the strict interpretation of the 1949 constitutional requirement that the national legislature approve visits in advance by "armed" vessels (including USCG cutters). The second is the long-running and well-known Costa Rican sensitivity to foreign military presence or activities. Since a bilateral maritime cooperation agreement was concluded in 1998, and the USG helped equip the Costa Rican coast guard in 1999-2001, we have gradually overcome most Costa Rica concerns about USCG visits; legislators and the public generally understand coast guard-to-coast guard cooperation.

[1](#)3. (SBU) Visits by USN vessels have remained more problematic, again due to two factors. On the Costa Rican side, some (mostly opposition) legislators still complain about "warships" putting into Costa Rican ports. On the USG side, USN force protection concerns mandate that no personal information (i.e., crew lists, crew member

signatures or SSNs) can be provided to a foreign government. Because Costa Rican immigration authorities normally require such information, USN ship visits to Costa Rica became very rare.

14. (SBU) Through steady, quiet diplomacy, we have worked through most of these problems. The Embassy, NAVSOUTH and the GOCR (Immigration Directorate) crafted a local solution which addressed the immigration and force protection concerns. Despite some reluctance when the peace-promoting Arias administration took office in 2006, VIP visits to USN and USCG vessels, regular briefings to senior GOCR personnel and key legislators, and two visits by GOCR security ministers to SOUTHCOM and JIATF-South abated most suspicions and misunderstandings about the Navy's role in support of counternarcotics and law enforcement missions. Indicative of the progress, there were 23 USCG and four USN port visits to Costa Rica in 2008. One of those, to Golfito in November, featured a VIP visit to the USS Underwood (FFG 36), replete with briefings and a boarding demonstration for the Minister of Public Security and key legislators, including members of the opposition. The Kauffman's visit was the first official port call by a USN warship to Costa Rica in nine years (Ref C.)

THE KAUFFMAN "CRISIS"

15. (SBU) The H1N1 crisis seemed to threaten much of that progress, with the first cases in Central America appearing in Costa Rica. To help deal with the crisis, the Ministry of Health introduced a mandatory questionnaire in May for everyone arriving from abroad to Costa Rica; the questionnaire is intended to identify anyone who may be carrying/have been exposed to the influenza, and to help track them later, should new outbreaks occur in the country. The international airports are using the questionnaire, cruise ship passengers are supposed to, and the Health Ministry expected the crews of visiting USCG or USN vessels to do the same. The USS Gary (FFG-51) and the USS Carr (FFG-52) were able to visit Golfito (on the Pacific coast) in early May before the H1N1 questionnaire was fully in use, providing important training opportunities for the Costa Rican coast guard and conducting some community relations activities.

16. (SBU) The visit of the USS Kauffman was a different story, however. The ship was to make a long-planned stop in Limon, Costa Rica's major Caribbean port, May 19-23. As one of the neediest areas of Costa Rica, and a development priority of the Arias administration, Limon was deliberately targeted for the visit, the first by a USN vessel to that city since 2006. The crew was prepared for fairly extensive community relations activities, and the community was prepared to welcome them (thanks to Embassy public diplomacy preparations). We were also preparing a VIP visit to the ship so that additional legislators could see the U.S. Navy first hand. The Health Ministry insisted that the H1N1 questionnaire be used for this visit.

17. (SBU) Despite numerous approaches to the Ministry (and up to Health Minister Maria Luisa Avila herself), and extensive behind-the-scenes discussions with SOUTHCOM, NAVSOUTH, Navy JAG reps and even staff in the office of the Chief of Naval Operations in Washington, a compromise was not reached. Avila held firm that the questionnaire had to be used, signed and delivered to local GOCR officials for the ship's crew members, just as for any international traveler; no one could disembark from the Kauffman without the form. With the crew unable to leave the ship because of the standoff, the Kauffman departed on May 21 without conducting the hoped-for community relations activities.

18. (U) Local media gave the shortened visit prominent coverage, fairly accurately explaining the rules on both sides which had led to the impasse, but highlighting (thanks to Embassy-provided details) the opportunity lost for the community. Pro-U.S. and pro-ship visit legislator Federico Tinoco, Chairman of the Counternarcotics Committee, excoriated Minister Avila for not being more flexible. Until the issue could be resolved, all USN ship visits to Costa Rica were suspended. Atlantic-based (District 7) USCG vessels followed suit.

19. (SBU) The publicity and the political pressure may have made an impact. When the DCM, Acting ODR Chief and Pol/Econ Counselor called on Avila June 2, she and Vice Minister Ana Cecilia Morice were very appreciative of on-going USG support and assistance to Costa Rica, including ship visits, overall counternarcotics cooperation and CDC help during the H1N1 crisis. Clearly willing to find a ship visit solution that took into account USN security concerns, the Minister herself suggested a version of one of the options earlier suggested by SOUTHCOM JAG. Visiting USN (or USCG) crew members would fill-in the H1N1 health questionnaire, but they would use a number to identify themselves and would not have to sign the form. Using an identification number would be sufficient to identify crew members later, if needed, and this number would not be anything official; SSNs or military ID numbers would not be required. Instead, a visiting ship's CO would keep a simple list of which crew member had which number, and the GOCR would not see this list. The numbering could be as basic as 1-200, if a ship's company numbered that many; the GOCR did not care about the format, Avila explained.

110. (U) Avila made clear that the following were the two most important issues for the GOCR:

-- all disembarking crew had to fill in the health data on the questionnaire, in keeping with "international standards," and as a "self-diagnostic" to consider seriously whether or not they had exhibited influenza symptoms; and

-- there must be some means to track the crew members later, in the event of an outbreak possible linked to them. In that instance, the GOCR would ask the Embassy to check with the ship (or relevant USN and USCG authorities) to identify the crew members (using the list kept by the CO) who may have been infected or may have infected others.

111. (SBU) In response to our questions, the Minister reiterated that no signatures or crew lists would be required. She suggested that, following the procedure used with cruise ships, any disembarking crew member could download the GOCR questionnaire from the internet and fill it out the night before leaving the ship. This would speed and simplify disembarking procedures. She added that one questionnaire per disembarking crew member would be sufficient for a given visit, even if the crew member got on and off the ship a number of times. Crew members that were not leaving the ship at all would not have to fill in the form.

GOCR EXPLANATION (AND JUSTIFICATION)

112. (SBU) The Minister said she was in close contact with the Pan-American Health Organization, which was on the verge of upgrading its H1N1 alert, because of the continued spread of cases. Avila said she expected to see more cases in the United States, and more in Costa Rica, as the local flu season continues. As she met with us, her Chilean counterpart emailed her to announce the first confirmed H1N1 death in Chile. Under these circumstances, Avila said the GOCR was compelled to leave its H1N1 "tracking mechanism" (the questionnaire) in place, even for U.S. Navy and Coast Guard vessels, but she was hopeful the USG would accept her suggestion. We said we'd confer with SOUTHCOM and Washington and get back to her. The Vice Minister hoped we could agree quickly enough to resume US ship visits before the end of June. (NOTE: Avila's predictions proved correct. The WHO upgraded the global H1N1 outbreak to pandemic status on June 11, and as of June 15, 149 cases had been confirmed in Costa Rica.)

COMMENT

113. (SBU) We understand that NAVSOUTH, SOUTHCOM and Coast Guard District 7 have all accepted Avila's compromise; this is very good news. It is also well-timed, as the national legislature is about to vote on the slate of possible USN and USCG ship visits to Costa

Rica scheduled from July-December. From a distance, Avila's initial (stubborn) stance may have seemed like another case of Tico hyper-legalism. The highly-regarded minister continues to handle the H1N1 crisis here well, however, and because of this no doubt found it difficult at first to make an exception (or to appear to have made an exception) for the U.S. Navy. The test case will be the next port call, but we are hopeful that these important and tangible examples of U.S.-Costa Rica civilian-military cooperation will continue unimpeded. We say "bring 'em on," with gratitude to all levels of the USN and USCG hierarchy which helped with this solution. Our special thanks go to the crews of the Kauffman and her sister ships for their energetic (and flexible) support for key Mission objectives here.

CIANCHETTE